

MINUTES  
BOARD OF APPEALS OF THE CITY OF UNIVERSAL CITY, TEXAS  
Regular Meeting, Monday Evening, 28 January 2019

1. CALL TO ORDER: Chairman Cheryl Maxwell at 6:00PM
2. QUORUM CHECK: Jacob Jenkins, Code Enforcement Officer

Members Present:  
Mat Matecko, Vice-Chairman  
John Hudson, Member  
Lori Putt, Member  
Cheryl Maxwell, Chairman  
Mary Andrews, Member  
Michael Murray, Member  
James Vinci, Member

Present:  
Kim Turner- Assistant City Manager  
Jaclyn Redmon- Building Official  
Mary Werner- 119 Amistad Case Worker  
Armando Montelongo- Potential Owner 145 Rifle Gap  
Elizabeth Assunto- Representative for 607 W Byrd  
Zahir Faruqi- 214 Rosewood Property Owner  
Art Grafton- 404 Cordoba  
Tina Winn- 106 Barcelona  
Caleb Schaefer- 106 Granada Drive  
Mary Eddy 412 Cordoba

3. MINUTES OF PREVIOUS MEETING:

Regular Meeting – 26 November 2018

**Ms. Putt moved to approve the minutes as presented. Mr. Hudson seconded the motion. The minutes were unanimously approved without correction on a 7/0 vote.**

4. NEW BUSINESS:

- A. **Public Hearing:** Purpose of the public hearing is to determine whether the property at 510 Cordoba, Universal City, Texas complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015

**The City gave an update on the property and answered Board questions. Chairman Maxwell opened the public hearing at 6:03PM. The property owner was not present to speak to the Board on the matter. Several residents from the neighborhood spoke to the Board concerning the property and their issues. The public hearing was closed at 6:11PM.**

- B. **Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 510 Cordoba, Universal City, Texas has complied with the Order Requiring Abatement of Public Nuisance.

**The Board discussed among themselves the property and Member Putt made the following motion, "I make the following findings of fact and motion regarding the property at 510 Cordoba Drive:**

**"That the conditions of the property commonly described as 510 Cordoba Drive, CB 5047B BLK 10 LOT 6 (Coronado Village (JD), Universal City, Bexar County, Texas 78148 (Bexar County Property ID#294852 constitutes a public nuisance in need of abatement, specifically:**

1. **The junk vehicle(s) are on the property and the property owner has continually disregarded Universal City Ordinance and International Property Maintenance Code to have the vehicles brought up to code (Operational and Current Registration) or be removed from Universal City limits.**
2. **The garbage/debris on the property has not been corrected as required by Universal City Ordinance and International Property Maintenance Code, and the property owner continues to refuse to properly dispose of items or properly store out of public view.**
3. **The property, as it continues to exist, is a fire hazard, nuisance to adjacent properties, a danger to the surrounding neighborhood, and it violates City Ordinances 581 and 370-N-2015 as amended.**

**Based on the finding of fact and the reports presented, I move that the Board of Appeals order that all junk vehicles be brought up to proper code (Current Registration and Operational) or be completely removed from Universal City and all garbage/debris properly disposed of. The current property owner(s) can still be allowed to work with the City to submit all required paperwork for the junk vehicles and have all garbage/debris removed before FEBRUARY 13, 2019 to make corrections to the violations. If violations are not corrected by the February 25, 2019 meeting, the Board orders the property owner to be present to speak on the matter.**

**At the FEBRUARY 25, 2019 Board of Appeals meeting, the Board will reconsider the case. If no progress has been made, the Board will make the render a final decision to order the City to proceed with impounding all junk vehicles on the property and properly disposing of all garbage/debris that is on the property, at the owner's expense. The City will then proceed, as required by law for holding and sale of all in-operable vehicles and place a lien on the property for all expenses occurred."**

**The motion was seconded by Member Hudson and the motion was approved by a 7-0 vote.**

- C. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 119 Amistad, Universal City, Texas complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015

**The City gave an update on the property and answered Board questions. Chairman Maxwell opened the public hearing at 6:23PM. Mary Werner, case worker for the property owner spoke and advised the Board that the property owner is a nursing home and all her property is currently the ward of the State and can't be touched. There were no further public comments for or against the property. The public hearing was closed at 6:28PM.**

- D. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 119 Amistad, Universal City, Texas has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

**The Board discussed among themselves the property and Member Matecko made the following motion, "Based on the report and information provided, the Board will allow a 90-day extension to be granted, to allow the State to proceed with releasing the property to the case worker, for work and maintenance to be provided. The Board will rehear the case at the April 29, 2019 meeting."**

**The motion was seconded by Member Hudson and the motion was approved by a 7-0 vote.**

- E. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 8306 Delphian, Universal City, Texas complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015

**The City gave an update on the property and answered Board questions. Chairman Maxwell opened the public hearing at 6:30PM. The property owner was not present at the meeting. There were no public comments for or against the property. The public hearing was closed at 6:32PM.**

- F. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 8306 Delphian, Universal City, Texas has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

The Board discussed among themselves the property and Member Matecko made the following motion, "I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 8306 Delphian:

"That the conditions of the property commonly described as 8306 Delphian, CB 5047H BLK 7 LOT 2 (Olympia (JD), Universal City, Bexar County, Texas 78148 (Bexar County Property ID#296285 constitutes a public nuisance in need of abatement, specifically:

1. The primary structure is damaged due to years of neglect. The foundation/structure is potentially damaged and in need of a structural engineer's report to be submitted and proper repairs made as required by the engineer. The roof, fascia, soffit, and siding are damaged and in need of replacement and proper repair. All electrical, plumbing, and mechanical issues that will also need to be addressed, by an approved State Licensed trade. The structure either needs to be properly repaired or demolished.
2. The high weeds/grass on the property need to be mowed to proper height and properly maintained.
3. All garbage/debris on the property needs to be immediately removed and properly disposed of.
4. The shed on the property is in a dilapidated state and in need of proper repair or be taken down.
5. The fence is also in dilapidated state and will need to be properly repaired and secured, as there is a pool on the property.
6. The stagnant pool water needs to be addressed. The pool will need to be properly drained and a proper pool cover installed over the pool.
7. If the house is demolished, then the fence and all accessory structures will be in violation of Zoning Ordinance 581 and will also need to be removed.
8. If the building is demolished, then all plumbing and electrical will need to be properly capped off by a State Approved Plumber/Electrician. The foundation and all flatwork will also need to be removed if the house is demolished.
9. The structure and property, as it continues to exist, is a fire hazard, nuisance to adjacent properties, a danger to the surrounding neighborhood, and it violates City Ordinances 581 and 370-N-2015 as amended.

Based on the finding of fact and the reports presented, I move that the Board of Appeals order that all the structures at the subject property be demolished. The current and/or proposed property owner(s) can still be allowed to work with the City to submit all required paperwork before February 13, 2019 to make corrections to the violations. The owner of the property will also show Right of Possession; either by a deed for the property, or lease agreement. If no action is taken then the property owner is ordered to be at the February 25, 2019 meeting.

If it is shown that enough progress has been made by the February 25, 2019 Board of Appeals meeting, the Board will reconsider the case and may rescind the demolition order and grant a 90-day timeline for the repairs to be completed. If no progress has been made, the Board will make the render a final decision to demolish the structure.

The motion was seconded by Member Putt and the motion was approved by a 7-0 vote.

- M. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 717 Meadow Arbor, Universal City, Texas complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015

**The City gave an update on the property and answered Board questions. Chairman Maxwell opened the public hearing at 7:30PM. The property owner was not present and there was no public comment for or against the property. The public hearing was closed at 7:31PM.**

- N. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 717 Meadow Arbor, Universal City, Texas has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

**The Board discussed among themselves the property and Member Putt made the following motion, "I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 717 Meadow Arbor:**

**"That the conditions of the property commonly described as 717 Meadow Arbor, CB 5053R BLK 7 LOT 40 (Meadow Oaks/Emelia (JD), Universal City, Bexar County, Texas 78148 (Bexar County Property ID#308108 constitutes a public nuisance in need of abatement, specifically:**

- 1. The primary structure is damaged due to years of neglect. The foundation/structure is potentially damaged and in need of a structural engineer's report to be submitted and proper repairs made as required by the engineer. The roof, facia, soffit, and siding are damaged and in need of replacement and proper repair. All electrical, plumbing, and mechanical issues that will also need to be addressed, by an approved State Licensed trade. The structure either needs to be properly repaired or demolished.**
- 2. If the house is demolished, then the fence and all accessory structures will be in violation of Zoning Ordinance 581 and will also need to be removed.**
- 3. If the building is demolished, then all plumbing and electrical will need to be properly capped off by a State Approved Plumber/Electrician. The foundation and all flatwork will also need to be removed if the house is demolished.**
- 4. The structure and property, as it continues to exist, is a fire hazard, nuisance to adjacent properties, a danger to the surrounding neighborhood, and it violates City Ordinances 581 and 370-N-2015 as amended.**

**Based on the finding of fact and the reports presented, I move that the Board of Appeals order that all the structures at the subject property be demolished. The current and/or proposed property owner(s) can still be allowed to work with the City to submit all required paperwork before February 13, 2019 to make corrections to the violations. The owner of the property will also show Right of Possession; either by a deed for the property, or lease agreement. The Board also orders the property owner to be present at the February 25, 2019 meeting if no action is taken on the property.**

**If it is shown that sufficient progress has been made by the February 25, 2019 Board of Appeals meeting, the Board will reconsider the case and may rescind the demolition order and grant a 90-day timeline for the repairs to be completed. If no progress has been made, the Board will make the render a final decision to demolish the structure.**

**The motion was seconded by Member Hudson and the motion was approved by a 7-0 vote.**

- 5. UPDATED BOARD ON PREVIOUS CASES**
- 6. ADJOURNMENT:**

The meeting adjourned at 7:43PM

